217

1951/53 B CLASS.

File No. LSE 1057

P.W. DEPARTMENT

E BRANCH

Subject:— Leave - Subordinate establishment New Rules.

(20)

B[K] 1951

File No. LSE 1057 E

E-Br

Etd. Scott. Blip. 24 A

Std. Scott. 78A e.

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

# DOCKET SHEET (B)

*Subject :—*

File No. L5E 1057

P.W DEPT.

E BRANCH.

*References :—*

Copies from original file B[C] 1953 were supplied to this Region original pages also separated and send to this region.

| Date. | To whom sent. | Notes and instructions. |
|---|---|---|
| | | |

For further orders pl. see G.R.F.D. No. RET 1155 dt. 18-3-55 (wes 1055/43069)

Maternity leave:
Grant of - to temporary women Government servants.

GOVERNMENT OF BOMBAY.

Finance Department.

Resolution No.2546/33.

Bombay Castle, 16th May 1951.

Orders are to remain in force upto 31-3-52. G.R, F.D. No.6384/33, dt. the 11-3-52, (NS 54/30080)

RESOLUTION OF GOVERNMENT.

In partial modification of the orders issued in Government Resolution, Finance Department, No.2546/33-C, dated the 29th October 1946, Government is pleased to direct that leave salary admissible to temporary women Government servants during the period of maternity leave should be regulated as follows:-

(a) In the case of those who have put in two years continuous service or more, the leave salary admissible will be as laid down in rule 14(1) of the Revised Leave Rules, 1935, as modified by Government Notification, Finance Department, No. 6567/33-X, dated 15th December 1950; and

(b) In the case of those who have put in continuous service for a period exceeding one year but less than two years the leave salary admissible will be as laid down in rule 14(2) of the Revised Leave Rules, 1935, as modified by Government Notification, Finance Department, No.6567/33-X, dated 15th December 1950.

2. The maternity leave should be treated as a separate entity. If, therefore, it is preceded or followed by earned leave, the whole period should not be treated as one spell of leave for purposes of rule 14(1) of the Revised Rules, 1935, as modified by Government Notification, Finance Department, No. 6567/33 dated 15th December 1950 and for purposes of calculating average pay in respect of other kinds of leave granted in combination with the maternity leave, the period of maternity leave should be omitted.

* For further Orders pl. see G.R.,F.D. No. RET 1154 dt. 16-3-54(File wes 1054/45149)

3. These orders should take effect from 1st February 1949. However, cases in which leave salary has already been paid

under the orders already in force should not be reopened.

By order of the Governor of Bombay,

D.H.DAMLE,

Deputy Secretary to Government.

G.R., No.2546/33, F.D., dated the 16th May 1951.

To =

The Accountant General, Bombay,

The Deputy Accountant General, Baroda,

*The Prothonotary and Senior Master, High Court, Bombay,

*The Registrar, high Court of Judicature, Appellate Side, Bombay,

All Heads of Departments under the several Departments of the Secretariat.

All Departments of the Secretariat,

The Enquiry Officer, Secretariat, Bombay,

The Secretary to the Honourable the Chief Minister.

*By letter.

No. of 1951.

Copy forwarded for information and guidance to

3

Letter.

No.LSE 1051 F.

Public Works Department,
Bombay Castle(Bombay No.1),
25th October 1951.

To

The Chief Engineer, Bombay Electric Grid.

Subject:- Commutation of one kind of leave into leave of different kind.

References: Your letter No.E.8/26674, dated the 19th September 1951 .

2. Your proposal that the extraordinary leave of nine days from the 4th May 1951 to the 12th May 1951 sanctioned to Shri P.R.Harmalkar, Junior Clerk, may be treated as commuted leave on medical certificate, cannot be approved.

3. The power of commutation of one kind of leave into that of another cannot be delegated to any authority subordinate to Government.

By order of the Governor of Bombay,

Sd/-
27/10/51.

(S.V.Iyer),
Assistant Secretary to the Government of Bombay,
Public Works Department.

D.A.-Nil.

Copy forwarded to -

the Finance Department,
the Superintending Engineers of Circles,
the Electrical Engineer to Government.
The Public Health Engineers to Government.
the Architect to Government,
the Port Officer and Harbour Master,Okha.
the Director, Development Department Chowls,

for information.

4

Leave.
Calculation of -
enjoyed by State ex
. employees.

GOVERNMENT OF BOMBAY.
F
Finance Department.

Resolution No.8694/33.

Bombay Castle, 15th November 1951.

RESOLUTION OF GOVERNMENT.

Owing to the absence of adequate and proper records of service, the authorities preparing pension papers of ex-State employees, are not in a position to furnish a properlyverified statement of leave. Similarly, it is not possible to determine the balance of leave due to absorbed state servants. To meet these difficulties, Government is pleasd to issue the following instructions:-

a) The leave on average pay earned by State employees during periods of service in respect of which it cannot be determined from the available records, should be assumed to be equal to 1/12th of the total of such periods. Half of the leave so calculated should be assumed to have been enjoyed by the exployees concerned. As regards leave of other kind, it should be assumed that the employee has not enjoyed such leave. The statement of leave required in connection with the panni pension of a State employee, should be prepared accordingly. In the case of an absorbed state employee the balance should be prepared calculated according to the formula specified above, to the extent admissible under the Revised Leave Rules.

b) In respect of Government servants in Vacation departments the presumption should be that the vacation was fully enjoyed, except when there is definite evidence to the contrary.

2. Where the leave statements furnished with pension papers is defective and is not accepted by the Accountant General, Bombay, or Deputy Accountant General, Baroda on that grounds, Secretary to the Governments of Bombay, Finance Department, will decide in each

case whether leave as shown in the statement, however defective it may be, should be deemed to be the leave enjoyed or whether the leave taken should be determined under the formula specified above, having regard to the nature of the defectiveness of the leave statement,.

3. These orders also apply in the case of ex-Baroda State employees in whose cases leave records for some period to are not available.

4. Pension cases which have already been finalised should not be re-opened as a result of these orders.

By order of the Governor of Bombay,

Sd/-

Secretary to Government.

To

The Accountant General, Bombay,

The Deputy Accountant General, Baroda,

All Departments of the Secretariat, except the Separate Department.

*The Registrar, Appellate Side, High Court for the State of Bombay,

All Heads of Offices under the several Departments of the Secretariat,

All Departments of the Secretariat,

The Secretary to Honourable the Chief Minister,

The Enquiry Officer, Secretariat, Bombay.

*By letter.

No. of 1951.

Copy forwarded for information and guidance to

Refused Leave:
Grant of - on the termination of the period of re-employment.

GOVERNMENT OF BOMBAY.

Finance Department.

Circular No. 2706.

Bombay Castle, 18th October 1951.

CIRCULAR OF GOVERNMENT.

Government has been receiving a number of requests for the grant to Government servants re-employed immediately after superannuation, after the expiry of the period of re-employment, all leave that was refused to them before superannuation. The carry forward of such leave is not permitted under the Bombay Civil Services Rules. The only leave which such a person can get just before he retires on expiry of the period of re-employment will be the leave earned during the course of such re-employment. Because of the difficult personnel situation which arose during the last war, Government has frequently relaxed the rules and permitted the carry forward of leave. But it will be no longer correct to permit such relaxation as a matter of course. Any request for such relaxation will normally be refused. Where an appointing authority considers it necessary in the public interest that it is essential to re-employ a person and in order to facilitate such re-employment the leave due should be carried forward, Finance Department's consent to the carry forward of the leave over the period of re-employment should be obtained before the date of superannuation. Requests for post facto carry forward of leave cannot be entertained as the leave due will have lapsed on the date of superannuation.

By order of the Governor of Bombay.

P.V.RAO,
Secretary to Government.

To

The Accountant General, Bombay,

The Deputy Accountant General, Baroda,

*The Prothonotary and Senior Master, High Court for the State of Bombay.

ISE 1051/107472

Letter.

IMMEDIATE
NO.ISE 1051 F.

Public Works Department,
Bombay Castle(Bombay No.1),
21st December 1951.

To

The Chief Engineer, Bombay Electric Grid.

The Superintending Engineers of Circles.

The Electrical Engineer to Government.

The Public Health Engineer to Government.

The Director, Development Department Chawls.

Subject:- Fixation of leave reserves-

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Government has under consideration the question of re-fixing the "leave reserves" sanctioned for various services on the following principles:-

Under the New Leave Rules the leave that can be enjoyed is 1/11th of service. A leave reserve of 9% should therefore suffice provided leave to be given is spread out uniformly through the whole year instead of concentrating it in certain months. If this is not feasible, the alternative would be not to provide any leave reserve at all but to permit the appointing authority to fill up the leave vacancies as and when they occur. As regards long leave on medical certificate, it may be provided that vacancies caused by persons going on leave on medical certificate for more than four months may be filled up even if a leave reserve is sanctioned.

2. You are requested to examine the "Leave reserves" (where it exists) sanctioned for the various subordinate services under you in the light of the above remarks and to state whether the "leave reserves" already sanctioned can be reduced as proposed and if not to give detailed reasons for not reducing the leave reserves.

3, Your views in the matter should be furnished to Government with information in the accompanying form and should reach this office not later than 3rd January 1952.

By order of the Governor of Bombay,

Sd/-

Sd/-

(K.G.BHATE)

Deputy Secretary to the Government of

Bombay, Public Works Department.

D.A.Form.

(Typed below.).

| Serial No. | Name of Service. | Total number of posts | Number of leave reserves sanctioned so far. | Number of leave reserves proposed to be sanctioned | Remarks. |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

6f 1-7 11

No. G.R.52 Office of the Superintending Engineer,
Karnatak Irrigation Circle,
Dharwar, Decr. 1951.

To

The Chief Engineer to Government,
Public Works Department,
Bombay-1.

Subject:- Fixation of leave reserves.

Reference: Government letter, P.W.D., No. LSE 1051 F, dated 21-12-1951.

2. There are no leave reserves sanctioned for this Circle. It is, however, suggested that instead of sanctioning leave reserves on percentage basis, it would be better to permit the appointing authority to fill up the leave vacancies as and when they occur. The form is not, therefore, submitted.

Superintending Engineer, K.I.C.

BR/29-12.

62

LSE105

212

For disposal pl. see Sr. No. 215

2.152.

Statement showing information regarding leave reserves.

| Serial No. | Name of service | Total No. of posts | | | | No. of leave reserves sanctioned so far. | No. of leave reserved proposed to be sanctioned. | Remarks. |
|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | | | | 4 | 5 | 6 |
| | | Permt. | Temp. | | Total | | | |
| 1 | Bombay Subordinate Engineering Service | 90 | + 60 | = | 180 | - | 14 | At 9% of the total |
| 2 | Clerical establishment | 134 | + 78 | = | 212 | - | 19 | sanctioned strength. |
| 3. | Draftsman & Asstt. Draftsmen | 10 | + 2 | = | 12 | - | 1 | |
| 4. | Tracers & Computors | 5 | + 15 | = | 20 | - | 2 | |
| 5. | Storekeepers & Asstt. Storekeepers | 5 | + 5 | = | 10 | - | 1 | |

Sd/-

Superintending Engineer, S.C.

Id/-
31/12

13 15

No.G-55. Public Works Department,

Belgaum: 2 Jan. 1952

From

The Superintending Engineer,
Southern Circle, BELGAUM.

To

The Chief Engineer,
Public Works Department,
BOMBAY.

SUBJECT:- Fixation of leave reserves.

REFERENCE:- Government letter P.W.D. No. LSR-1051-F, dated the 21st December 1951.

Before the recent retrenchment there were five "leave reserves" in the overseers' cadre for each of the five permanent Divisions of this Circle. The total cadre strength of that Establishment as it now stands, is 90 permanent and 60 temporary i.e. in all 150. For this cadre strength, there should be not less than 14 "leave reserves" at the rate of 9% proposed by Government, whereas as a result of retrenchment 64 posts of temporary overseers were retrenched and the cadre strength of 150 overseers (both permanent and temporary)as it now stands, does not contain the element of "leave reserves". There is, therefore, no question of reducing the number of "leave reserves" in the Bombay subordinate Engineering services

2. On the other hand, in view of the New Leave Rules, it is quite essential that there should be "leave reserves" in every cadre of the various Establishment at the rate of 9% which is considered to be the minimum. Accordingly the No. of "leaves reserves" to be provided in the various subordinate services borne on the Circle cadre is given in the attached statement. Information in respect of leave reserves in the sub-ordinate services borne on the Divisional cadres is being called for from the Executive Engineers, and will be

furnished separately. Even when "leave reserves" are sanctioned substitutes will be necessary to be appointed in leave vacancies lasting for more than four months as mentioned by Government.

D.A.: 1 statement.

Sd/-
Superintending Engineer, S.C.

1612-17000-2-50 P.W.D. 608e.

G.P.Jamkhandi. No. G-55 of 1952

Post Box No. Office of the Superintending Engineer,

Telephone No. Southern Circle.

Belgaum dated 22 December 1953.

From

Superintending Engineer,

Southern Circle.;

To

The Chief Engineer,

Public Works Department,

Bombay.

Subject:- Fixation of leave reserves.

Reference This office letter No.G-55, dated the 2nd January 1952.

2. Orders of Government in the matter may kindly be communicated early.

3. It has been stated in para 1 of the above letter that the cadre strength of Overseers as sanctioned after the retrenchment does not contain the element of leave reserve. It is therefore becoming difficult to post Overseers in place of those proceeding on leave. As the sanctioned cadre strength of Overseers does not contain the provision for leave reserve, it is presumed that there is no objection to make officiating appointments in leave vacancies of Overseers. This presumption may kindly be confirmed and I may kindly be permitted to make officiating appointments in leave vacancies pending final orders of Government in the matter.

D.A. NIL-

Sd/-
Superintending Engineer, S.C,

Id/-
20/12

for information and guidance with reference to their replies to Government Letter, No.LSE 1051 E, dated the 21st December 1951.

Letter.

Public Works Department.,
Bombay Castle (Bombay No.1)
13th January 1953.

No.LSE 1051 E.

To

The Superintending Engineer,
Southern Circle.

Subject:- Fixation of leave reserves.

I am directed to refer to your letter, No.G-55, dated the 2nd January 1952, wherein proposal had been made for sanctioning "leave reserves" for the various categories of sub-ordinate posts in your Circle, and to state that the object of the information called for in Government Letter, No. LSE 1051-F, dated the 21st December 1951, was to consider the question of reduction of leave reserves" where they existed. It was not proposed to sanctioned "leave reserves" where they did not exist. In these circumstances, the arrangement which is hitherto made (in the absence of leave reserve) when sub-ordinates go on leave should be allowed to continue.

2. The presumption made in paragraph 3 of your letter, No. G.55, dated the 22nd December 1952, that officiating appointment can be made in the leave vacancies of overseers is correct, and is hereby confirmed.

By order and in the name of the Governor of Bombay,

Sd/-

( K.G.Bhate, )

Deputy Secretary to the Government of Bombay,

Public Works Department.

D.A. Nil.

Copy forwarded to :-

*the Chief Engineer, Bombay Electric Grid,

*the Other Superintending Engineers of Circles,

*the Public Health Engineer to Government,

the Electrical Engineer to Government,

*the Director, Development Department Chawls,

for.....